

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

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|---|--|--|
| B/O Form PTO-1390<br><b>Transmittal Letter to the United States<br/>Designated/Elected Office (DO/EO/US)<br/>Concerning a Filing Under 35 USC 371</b>   |  | Attorney's Docket Number<br>SWAI3001<br>U.S. Application Number (if known)<br>10/519,676 |
| International Application Number<br>PCT/GB2003/002948   | International Filing Date<br>8 July 2003 | Priority Date Claimed<br>9 July 2002   |
| Title of Invention<br><b>MICROWAVE HOLLOW ORGAN PROBE</b>   |  |  |
| Applicant(s) for DO/EO/US<br><b>Paul SWAIN, Malcolm BIRCH, and Jonathan REEVES</b>  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:  |  |  |
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (<i>35 USC 371(f)</i>) at any time rather than delay examination until the expiration of the applicable time limit set in <i>35 USC 371(b)</i> and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed <i>35 USC 371(c)(2)</i>.           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (<i>35 USC 371(c)(2)</i>).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<i>35 USC 371(c)(3)</i>)           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<i>35 USC 371(c)(3)</i>).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (<i>35 USC 371(c)(4)</i>). (<input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<i>35 USC 371(c)(5)</i>).</li> </ol> |  |  |
| <p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under <i>37 CFR 1.97</i> and <i>1.98</i>.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <i>37 CFR 3.28</i> and <i>3.31</i> is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under <i>37 CFR 1.76</i>.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under <i>35 U.S.C. 154(d)(4)</i>.</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under <i>35 U.S.C. 154(d)(4)</i></li> <li>20. <input checked="" type="checkbox"/> Other items or information: Request, Demand, ISR, Written Opinion, Claims as Amended in International Phase, IPER</li> </ol>   |  |  |

10 Rec'd from USPTO 24 JAN 2005

| <i>Application Number (if Known)</i><br><b>10/519,676</b>   |               | <i>International Application Number</i><br><b>PCT/GB2003/002948</b>            |               | <i>Attorney's Docket Number</i><br><b>SWAI3001</b> |                     |   |              |  |          |   |          |  |            |
|---|---------------|--|---------------|--|---------------------|---|--------------|--|----------|---|----------|--|------------|
|   |               |  |               | <b>Calculations</b>                                | <b>PTO USE ONLY</b> |   |              |  |          |   |          |  |            |
| <p>21. The following fees are submitted:</p> <table> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee .....</td> <td>\$300.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee .....</td> <td>\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search Fee .....</td> <td>\$500.00</td> </tr> </table> <p style="text-align: center;"><b>TOTAL OF ABOVE CALCULATIONS = \$1,000.00</b></p>   |               |  |               |  |                     | <input checked="" type="checkbox"/> a) Basic national fee ..... | \$300.00     | <input checked="" type="checkbox"/> b) Examination fee .....                   | \$200.00 | <input checked="" type="checkbox"/> c) Search Fee ..... | \$500.00 |  |            |
| <input checked="" type="checkbox"/> a) Basic national fee .....   | \$300.00      |  |               |  |                     |   |              |  |          |   |          |  |            |
| <input checked="" type="checkbox"/> b) Examination fee .....  | \$200.00      |  |               |  |                     |   |              |  |          |   |          |  |            |
| <input checked="" type="checkbox"/> c) Search Fee .....   | \$500.00      |  |               |  |                     |   |              |  |          |   |          |  |            |
| <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fractions thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fractions thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>- 100 =</td> <td>/50=</td> <td></td> <td>x \$250.00</td> </tr> </tbody> </table> <p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> |               |  |               |  |                     | Total Sheets  | Extra sheets | Number of each additional 50 or fractions thereof (round up to a whole number) | RATE     | - 100 =   | /50=     |  | x \$250.00 |
| Total Sheets  | Extra sheets  | Number of each additional 50 or fractions thereof (round up to a whole number) | RATE          |  |                     |   |              |  |          |   |          |  |            |
| - 100 =   | /50=          |  | x \$250.00    |  |                     |   |              |  |          |   |          |  |            |
| <b>CLAIMS</b>   | <b>NUMBER</b> | <b>NUMBER EXTRA</b>  | <b>RATE</b>   |  |                     |   |              |  |          |   |          |  |            |
| Total Claims  | -20 =         |  | x \$50.00     |  |                     |   |              |  |          |   |          |  |            |
| Independent Claims  | -3 =          |  | x \$200.00    |  |                     |   |              |  |          |   |          |  |            |
| Multiple Dependent Claims (if applicable)   |               |  | + \$360.00    |  |                     |   |              |  |          |   |          |  |            |
| <b>TOTAL OF ABOVE CALCULATIONS</b>  |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| <p><input type="checkbox"/> Reduction by <math>\frac{1}{2}</math> for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.</p>  |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| <b>SUBTOTAL</b>   |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| <b>TOTAL NATIONAL FEE</b>   |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.  |               |  |               |  |                     |   |              |  |          |   |          |  |            |
| <b>TOTAL FEES ENCLOSED</b>  |               |  |               |  |                     |   |              |  |          |   |          |  |            |
|   |               |  | Amount to be: | Refunded:  | Charged:            |   |              |  |          |   |          |  |            |

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the fees is enclosed.
- b.  Please charge my **Deposit Account Number 02-0200** in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**23364**

Customer Number  
Phone: (703) 683-0500

DATE: 24 January 2005

*Respectfully submitted,*



Attorney for Applicant Eric Spector  
Registration Number: 22495